

SUBJECT: Code Requirements for Replacement Windows

EFFECTIVE DATE: October 25, 2010

INTERPRETATION NUMBER: ADM – 6.0105.2 (formally 1.0106.2)

SEE ALSO: 2006 IRC – Sections 105.2

INTERPRETATION SUMMARY

Several areas of building repair have been exempted by local amendment from requiring a permit. Such work would include replacement or overlays of siding, roof overlays or the replacement of windows or doors. However, this code section also says that “Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction”. With regard to alterations that might be made for replacement windows, the increase of a window’s width might require a building permit due to the structural changes that could be needed to accommodate alteration. Other alterations that would become violations of the building code even though permits are not required would be:

- removing and/or downsizing existing windows to a size that does not provide a minimum of 10% of the floor area of the room it/they serve
- downsizing an existing egress window to a size that will not meet the minimum egress requirements
- changing the type of window, e.g. a casement window to a double hung or an awning to a slider, which would diminish the egress opening size

Our interpretation would be that it would not be permissible to make an existing conforming or nonconforming situation worse. It would not be the policy of this Department that window sizes would have to be increased to meet current codes if the window is simply to be replaced with no proposed modifications to the opening. Nor would a style of window need to be changed, e.g. a double or single hung to casement, in order to meet egress requirements although we would strongly recommend it.